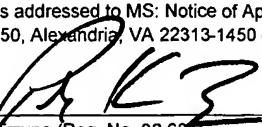


I, Peter K. Trzyna (Reg. No. 32, 601), hereby certify that this paper or fee is being filed by depositing it with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to MS: Notice of Appeal, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below:

Signed:   
Peter K. Trzyna (Reg. No. 32,601)

Date: September 11, 2006

PATENT

Paper No.

File: Hinne-P3-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor	:	Michael Hinnebusch
Serial No.	:	10/015,866
Filed	:	12 December 2001
For	:	SYSTEM AND METHOD TO IMPROVE FITNESS TRAINING
Group Art Unit	:	3639
Examiner	:	NELSON, Freda Ann

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MS: Notice of Appeal  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### NOTICE OF APPEAL

SIR:

Applicant hereby submits this Notice of Appeal to appeal to the Board of Patent Appeals from the decision of the Examiner mailed September 11, 2006, finally rejecting claims 1-75, and objecting claims 41-42.

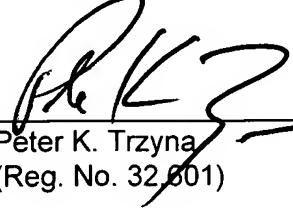
**APPLICANT CLAIMS SMALL ENTITY STATUS.** The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

09/14/2006 RMEBRAHT 00000076 500235 10015866

02 FC:2401 250.00 DA

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,

  
Peter K. Trzyna  
(Reg. No. 32,001)

Date: September 11, 2006

P.O. Box 7131  
Chicago, Illinois 60680-7131  
(312) 240-0824